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**From:** mark@abundantdawn.org  
**Sent:** Monday, October 04, 2004 5:42 PM  
**To:** FarmBillRules  
**Subject:** Attention: Conservation Security Program  
**Attachments:** ATTACHMENT.TXT

Virginia Association for Biological Farming  
 P.O. Box 1003  
 Lexington, VA 24450

October 4, 2004

Craig Dickerson, Program Manager  
 Financial Assistance Programs Division  
 Natural Resources Conservation Service  
 P.O. Box 2890  
 Washington, DC 20013-2890

RE: Comments on Conservation Security Program Interim Final Rule

Dear Mr. Dickerson:

We would like to submit the following comments on the Interim Final Rule for the Conservation Security Program, on behalf of the Virginia Association for Biological Farming (VABF). VABF is a membership organization of sustainable and organic farmers and gardeners and concerned consumers, with the mission of promoting sustainable agriculture and food systems throughout Virginia. Since many of our members are small scale farmers seeking to become better land stewards while making a decent living, we consider the CSP a potentially valuable tool for achieving these goals and encouraging other producers to do so as well.

The 2002 Farm Bill established the CSP as a nationwide, open-enrollment program, available to any farmer or rancher who wants to improve her/his resource conservation practices, and offering meaningful support to do so. However the CSP Interim Final Rule departs from the original intent and letter of the Farm Bill legislation in ways that would severely limit the program's effectiveness. We urge the NRCS to implement several changes in the Rule so that the CSP can achieve its intended goals.

First, the Interim Final Rule limits grower eligibility to certain watersheds (just 18 nationwide in 2004), and further restricts it to certain "enrollment categories." Since *none* of the designated watersheds were located within Virginia, the program was entirely unavailable to Virginia producers in its first year of operation. We understand that, at the time the Rule was developed, budget caps imposed financial constraints on the CSP, and put the NRCS in a difficult position with regard to rulemaking. However, enrollment restrictions based on watersheds or enrollment categories largely defeat the CSP's stated purpose of improving farmland conservation across the nation. Furthermore, the Senate Agricultural Appropriations Subcommittee has recently advocated an uncapped, open-enrollment program starting with the next fiscal year. *Therefore, we urge the NRCS to uphold the original goals of the CSP, by stating in the Final Rule, a clear intent to implement a nationwide open enrollment CSP, and removing enrollment restrictions based on watersheds, geographic location or other "categories."*

Second, most of those who submitted comments on the Proposed Rule raised concerns about the requirements that farmers must have reached non-degradation levels of stewardship of soil and water quality resources as a prerequisite for application. The original intent of the CSP was to help *any and all producers who want to improve their*

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*ecological footprint* to do so, and to require that these high standards of stewardship be achieved *during the course of a contract*. The NRCS argues that the potential ecological benefits of the CSP could be maximized by restricting enrollment to those producers who have already achieved a high level of stewardship. However, if the intent of the CSP is to "reward the best and motivate the rest," enrollment in the CSP must be made available, at least at the Tier I level, to those growers who have not yet achieved "non-degradation" levels of water and soil quality, but seek to do so. If some level of conservation achievement is adopted as an eligibility criterion, *the enrollment process itself must be continuous and open to all producers in all regions whenever they meet those requirements*. The combination of such pre-requisites with limited enrollment periods, as currently mandated by the Interim Final Rule, will essentially exclude from the CSP thousands of farmers who have not yet achieved high conservation levels, but could do so with the help of a CSP contract.

Third, we oppose the *per acre caps* on total payments for stewardship, existing practices and enhancement activities. This skews the program toward larger farms, and could make the levels of support for small farms trivial. For example, in Virginia, land rents run at most \$60 per acre for high value cropland (e.g. vegetables). The proposed cap is 15% (Tier 1) to 40% (Tier 3) of unadjusted stewardship payments, which are themselves just 5% (Tier 1) to 15% (Tier 3) of the land rents. This means that a 100-acre vegetable farm enrolling at Tier 3 might have its total annual payments capped at \$360, whereas at Tier 1 the cap is \$45. Many of Virginia's vegetable and small fruit growers have holdings of less than 100 acres. Under the proposed per-acre caps, annual payments would scarcely cover the time these farmers invest in filling out the application! The only caps on total payments for CSP contracts should be the \$20,000, \$35,000 and \$45,000 per annum for Tiers I, II and III respectively, established in the original legislation.

Fourth, we urge the NRCS to establish meaningful enhancement payments for a wide range of management strategies that can enhance conservation and resource condition. Biologically-based pest management systems, cover crop based reduced-tillage systems, resource-conserving crop rotations documented by means of a diversity index, rotational grazing systems, conservation buffers, and conservation of plant and animal germplasm should all be eligible for enhancement payments. We were glad to see that the Interim Final Rule includes enhancement payments for energy conservation and for on-farm research and demonstration, and hope that these will also be included in the Final Rule.

Thank you for taking these concerns into consideration.

Yours sincerely,

Katherine Smith  
President of the Board of VABF

Mark Schonbeck  
Editor of VABF Newsletter